

REMARKS

Applicants respectfully request reconsideration of this application, and reconsideration of the Office Action dated January 11, 2005. Upon entry of this Amendment, claims 1 and 3-22 will remain pending in this application. The amendments to the claims are supported by the specification and original claims (e.g. original claim 2). No new matter is incorporated by this Amendment.

As an initial matter, Applicants gratefully acknowledge the Examiner's express indication that claims 11-20 and 22 are allowed.

Applicants also acknowledge the Examiner's indication that claims 2-5 contain allowable subject matter. While claims 2-5 are objected to, the Examiner indicated these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, Applicants have amended independent claim 1 by incorporating the features of original claim 2 into claim 1. Claims 3-5 have been amended to depend from claim 1. Hence, claim 1 and claims 3-10, which depend from claim 1, are believed to be in condition for allowance. The patentable features of original claim 2 also have been incorporated into claim 21. Hence, claim 21 is also believed to be in condition for allowance.

Allowed claim 11 also has been amended to correct a minor grammatical error. This change in no way affects the scope of original claim 11 or its dependent claims.

* * * * *

Claims 1, 6, 7, 10, and 21 are rejected under 35 U.S.C. §103(a) as purportedly obvious based on Kimoto et al. (JP 2002-067372) in view of Rushing (U.S. Patent. 5,933,682).

Claim 8 is rejected under 35 U.S.C. §103(a) as purportedly obvious based on Kimoto et al. in view of Rushing, and further in view of Manzer et al. (U.S. Patent. 5,124,732).

Claim 9 is rejected under 35 U.S.C. §103(a) as purportedly obvious based on Kimoto et al. in view of Rushing, and further in view of Yamada et al. (U.S. Patent. 5,463,473).

These three rejections are addressed together as similar issues apply to each. As discussed above, independent claims 1 and 21 have been amended by incorporating the features of previous claim 2 into each of claims 1 and 21. Since claim 2 was indicated as containing allowable subject matter, claims 1 and 21, as well as the claims that depend from claim 1, are believed to be in condition for immediate allowance. Hence, each of the three rejections is overcome and withdrawal of each is respectfully requested.

* * * * *

Applicants respectfully submit that this Amendment and the above remarks obviate the outstanding rejections in this case, thereby placing the application in condition for immediate allowance. Allowance of this application is earnestly solicited.

If any fees under 37 C.F.R. §§1.16 or 1.17 are due in connection with this filing, please charge the fees to Deposit Account No. 02-4300; Order No. 032739.089.

If an extension of time under 37 C.F.R. §1.136 is necessary that is not accounted for in the papers filed herewith, such an extension is requested. The extension fee should be charged to Deposit Account No. 02-4300; Order No. 032739.089.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

By: 

Michael A. Makuch, Reg. No. 32,263
1850 M Street, N.W., Suite 800
Washington, D.C. 20036
Telephone: (202)263-4300
Facsimile: (202) 263-4329

Dated: April 11, 2005
MAM/BLN